

PL 116-94 Congressional Requirements Summary of Activities

The Puerto Rico Department of Health, Medicaid Office and ASES , hereinafter referred to as the PR Medicaid Enterprise, have been working since the enactment of Federal ACT: P.L 116-94, Further Consolidated Appropriations Act, 2020 (Dec 16, 2019); on activities to support the following Congressional Requirements established by the Act:

PL 116-94 Requirement	PL 116-94 Section	Report Due Date to Congress
1. Review Program Integrity Office Policies / Procedures / Staffing	(133 STAT 3105), Division N, Title 1 §202(a)(7)(A)(i)	Appointment of Intefrity Lead Officer on June 2020 complied / Integrity Procedures and more staffing Ongoing
2. Develop Payment Error Rate Measurement (PERM) plan	(133 STAT 3105), Division N, Title 1 §202(a)(7)(A)(ii)	In process due date is June 2021
3. Develop Contracting Reform Plan	(133 STAT 3105), Division N, Title 1 §202(a)(7)(A)(iii)	Report Delivered on due date 12-20-2020, Implementation of the plan is underway
4. Review Medicaid Eligibility Quality Control (MEQC) Policy / Procedures / Staffing	(133 STAT 3106), Division N, Title 1 §202(a)(7)(A)(iv)	Due date is June 2021 and currently ongoing
5. Evaluate Dual Eligible Special Needs Plan	(133 STAT 3107), Division N, Title 1 §202(b)	Due date June 2021 evaluation ongoing
6. Develop Annual Report	(133 STAT 3108), Division N, Title 1 §202(a)(9)	The 2020 report was submitted before due date of October 2020 / The 2021 report is ongoing
7. Develop Report on Contracting Oversight and Approval	(133 STAT 3109), Division N, Title 1, Subtitle B, §202(f)(2)	Report Delivered at due date 12-20-2020, Implementation underway
8. Evaluate Current Process of Managed Care Payment	(133 STAT 3110), Division N, Title 1, Subtitle B, §202(f)(3)	Report Delivered 12-20-2020, no further action needed
9. Develop Scorecard Reporting Measures	(133 STAT 3111), Division N, Title 1, Subtitle B, §202(f)(4)	Report Delivered 12-20-2020, no further action needed
10. Develop Financial Executive Summary for CMS 37/64 Reporting	(133 STAT 3111), Division N, Title 1, Subtitle B, §202(f)(4)(1)	Previous reports has been submitted to CMS in compliance CMS 64 – 1/31/21 CMS 37 – 2/15/21
11. Evaluate Current Contract Requirements and CMS Reporting	(133 STAT 3111), Division N, Title 1, Subtitle B, §202(f)(4)(2))	As requested by CMS Contract reform plan was submitted to Congress and CMS
12. Implement Scorecard Reporting System	(133 STAT 3111), Division N, Title 1, Subtitle B, §202(f)(4)	Report Delivered 12-20-2020, Implementation underway
13. Develop Policies and Procedures for Penalties	(133 STAT 3107), Division N, Title 1 §202(c)	Quarterly (if applicable)

To meet the Congressional mandates, Puerto Rico took the following actions:

- Issued a Request for Quotations in February 2020 to obtain proposals from vendors to assist in complying with the Congressional Mandate. The proposal was adjudicated to Deloitte and the engagement commenced on September 20, 2020 with ASES, DOH and Medicaid.
- From September 2020 through December 20, 2020; Puerto Rico held multiple meetings, interviews and workshops with the Department of Health, Puerto Rico Health Insurance

Administration and Medicaid to define the vision, guidelines and principles around Contracting Reform

- Puerto Rico Submitted the required Annual Report to Congress on October 31, 2020 as part of the compliance to Requirement 6 – Develop Annual Report.
- Medicaid enterprise conducted a thorough review of Government of Puerto Rico Laws, Regulations and Executive Orders was to understand the procurement and contracting legal framework in place for the Government and the Medicaid Enterprise Agencies
- Multiple review meetings were held of all Medicaid Enterprise to draft, review, finalize and publish five requirement reports due by December 20, 2020.
- Puerto Rico responded on November 13, 2020 to initial inquiries from the U.S. Government Accountability Office (GAO) on our contracting processes received on October 29, 2020. This report provides the PRDOH’s response to GAO’s request for an update on the status of Puerto Rico’s development of a contracting reform plan.
- Puerto Rico provided a response to Congress for the following reports required by December 20, 2020:
 1. Develop Contracting Reform Plan – Requirement 7
 2. Develop Report on Contracting Oversight and Approval – Requirement 7
 3. Evaluate Current Process of Managed Care Payment – Requirement 8
 4. Implement Scorecard Reporting System – Requirement 11
 5. Evaluate Current Contract Requirements and CMS Reporting – Requirement 12
- The Puerto Rico Medicaid Enterprise is continuing to work on the development of reports of other requirements that are due during the course of the first six months of 2021 as highlighted on the table above.
- We are also working on some of the recommendations and commitments made to Congress regarding Contracting Reform, Oversight, Evaluation of MCO payments and Implementation of Scorecard Measures.

Further details on each requirement response and plans can be obtained by reviewing the PL116-94 Summary Document which provides the following information:

- A review of the requirement as established in P.L 116-94
- A current status description of what has been done by the Puerto Rico Medicaid Enterprise
- A review of the activities that have been performed to date by the agencies of the Puerto Rico Medicaid Enterprise,
- A summary of planned activities that will continue to be further addressed by Puerto Rico in compliance with the requirements.

As demonstrated herein, the Puerto Rico Department of Health, Medicaid and ASES are all working collaboratively with the goal of meeting each of the mandated requirements of Congress. Our teams are engaged and progressing along the schedules as detailed in this summary.